

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PIRELLI ARMSTRONG TIRE CORPORATION :
RETIREE MEDICAL BENEFITS TRUST, :
derivatively on behalf of MACY'S INC., :

Plaintiff, :

-against- :

TERRY J LUNDGREN, et al., :

Defendants, :

-and- :

MACY'S INC., :

Nominal Defendant. :
----- X

07 Civ. 5862 (RJH)

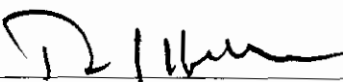
ORDER

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>11/10/08</u>
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On September 30, 2008, the Court granted Plaintiff until November 1, 2008 to amend its Complaint to allege with particularity the reasons why pre-suit demand was not made. No amended Complaint having been filed, it is

ORDERED that the Clerk of Court close this case.

Dated: New York, New York
November 6, 2008


Richard J. Holwell
United States District Judge